

THE LAW OFFICES OF
W A T S I M . S U T T O N
ATTORNEY AT LAW

Bankruptcy Questionnaire

Bankruptcy is a right provided by law to people who are deeply in debt and in need of a fresh start. Bankruptcy will discharge many of your debts and you will not have to pay them, except, in some cases, secured debts for the purchase of particular merchandise or debts on which you gave a mortgage or put up other property as collateral.

The law allows you to keep some money and most types of necessary property in bankruptcy. To receive this protection, it is necessary that you list all items asked for in the following questions: if you do not list an item, that item will not be protected in bankruptcy. You must also list *everyone* to whom you owe money. If you leave out one of your creditors, you may have to pay the money to that creditor or you may lose your right to bankruptcy. It may also be considered a crime if you intentionally give false information or leave out information. If you have any questions about whether you can keep certain property or whether you should list a debt, write that question down and remember to ask the lawyer. We know this questionnaire is long. Preparing your bankruptcy papers properly takes a lot of time and a lot of information. If we work together on this, we can protect your family from great hardship and give you the new start the law intends you to have.

There is a filing fee of \$299.00 which must be paid to the court (\$274.00 if your case is filed under chapter 13). If you do not have the money at the time you file, the court may allow you up to four months to pay the fee in installments. You must attend two hearings and pay the filing fee to get a discharge.

(1) Fill out *every* question on all pages. Wherever you are given a choice of YES or NO on these forms, check either YES or NO, whichever is correct. Please fill out these pages as well as you can. We will help with any questions you don't understand.

(2) Write clearly or typewrite your answers. *We must* be able to read them.

(3) Wherever the name of a person or firm is asked for, give the *full address*. *Make the address accurate*. Your discharge from each debt depends upon your giving a complete and correct address.

(4) If you do not know the exact amount you owe, fill in a *HIGH* estimate. *Do not* leave the amount blank and do not say "don't know."

(5) Wherever you need more room, turn the page over and put the information on the back together with the number of the question.

(6) List *every creditor and everybody* that has had anything to do with your debts, including cosigners. Please include accurate account numbers. If a bill you owe has been sent to

a collection agency or any attorney, list *both* the person you originally owed *and* the collection agency or any attorney, giving the *full* address of each. If the collection agency has an attorney, list the person you originally owed, the collection agency, and the attorney, giving the full address of each.

(7) Whenever a question asks you to be prepared to give details, gather all papers concerning the matter, including bills and collection letters, and bring them with you when you return this form. **In any event, be sure to bring with you the following items (unless they don't apply to you):**

(a) Picture identification card and Social Security card or other document containing your social security number;

(b) Deeds and mortgages on your house or other real estate;

(c) Any insurance policies;

(d) Any papers relating to past bankruptcies and Wage Earner Plans (Chapter 13);

(e) Copies of tax returns for the current and past two years, and copies of your last several pay check stubs;

(f) Copies of all pay stubs for the last six months.

(g) Copies of your last several bank statements and copies of statements from any other deposit accounts, such as a credit union or brokerage account, including IRAs, 401(k)s, and other pension accounts;

(h) Legal papers, lawsuits, divorce papers, separation agreements, alimony orders, and child support orders;

(i) Any appraisals or tax assessment papers;

(i) Last monthly statement received from everyone you owe or any other papers you have concerning any of your debts; and

(j) Any lease or installment sale ("lease purchase" or "rent-to-own") agreements for housing (apartment, house, mobile home) or other property (cars, televisions, etc.) that you have signed and that are still in effect or not fully paid.

Complete All Questions. If you and your spouse are not living together, and there is no possibility that your spouse will file bankruptcy along with you, you don't have to answer the questions about your spouse.

1. Name and Residence Information:

- A. Your full name: _____
Your spouse's full name: _____
Date and City/State of Marriage: _____
- B. Your Social Security Number: _____
Your spouse's Social Security Number: _____
- C. Your date of birth and age: _____
Your spouse's date of birth and age: _____
- D. List any other names used by you or your spouse (including maiden name), or other ways you have signed your names to papers and checks during the last six years:

E. Current Address: _____
(Street)

(City) (County) (Zip Code)

F. Telephone Number: _____

G. List all addresses you have had in the last two years, the dates when you lived there, and the name you used while living there. If husband and wife are filing bankruptcy together, list addresses for each for the last two years (include street, town, and zip code).

<i>Addresses</i>	<i>Dates</i>	<i>Name Used</i>

2. Prior Bankruptcy: Have you ever been involved before in a bankruptcy (chapter 7 or chapter 13 wage earner plan)? Yes ___ No ___. If yes, bring *all* papers from the case to our office.

3. Occupation and Income:

- A. Usual type of work: _____
- B. Name and address of current employer: _____
- C. Spouse's usual type of work: _____
- D. Name and address of spouse's current employer: _____

E. How long have you been at your current job?: _____ Your spouse? _____

F. List all income received so far this year and in the last two years by you or your spouse:

<i>Income Received</i> (Give gross income as reported on tax returns)	<i>Source</i> (Names and addresses of employers or specify social security, welfare, unemployment, investments, etc.)	<i>By Whom</i> (Self or spouse)
So far this year: _____		
Last year: _____		
Year before last: _____		

G. Have you or your spouse been in business by yourself or with others during the last six years? YES ___ NO ___. If yes, give the dates, name of the business, its address, and the names of others in business with you or your spouse. _____

- H. Are there any debts from your former business?
 YES ___ NO ___. If YES, list them in questions 32 and 33 and give details here:

- I. (1) If you employed anyone (such as regular employees, cleaning people, gardeners, babysitters), do you still owe them wages? YES ___ NO ___. If YES, give name and address of employee, dates worked, amount owed, and work done. _____

 (2) Has anyone given you money to purchase property or services that you were unable to provide?
 YES ___ NO ___. If YES, give details: _____

- J. Have you ever been on welfare within the past two years? YES ___ NO ___. Has anyone in your immediate family? YES ___ NO ___. If YES to either question, specify the persons, dates, amounts received, and places (if state welfare, name the state, if local welfare, name the city or county).

- K. Have you ever received or been told you have received more money from the government than you were supposed to (such as social security, welfare, unemployment compensation, food stamps, etc.)?
 YES _____ NO _____. If YES, give details: _____

- L. Do you have any vacation time that is due you from your employer? YES _____ NO _____.
 If YES, how much is due? _____
- M. Do you have an IRA or any other pension plan? YES ___ NO ___. If YES, give details: _____

- N. Are you the beneficiary of a trust or future interest? YES _____ NO _____. If YES, give details: _____

- O. Do you expect to receive more than a small amount of money or property at any time in the near future by way of gift or life insurance proceeds? YES _____ NO _____. If YES, give details: _____

- P. (1) Do you expect to inherit any money or property in the near future? YES ___ NO ___.
 If YES, give details: _____

 (2) Has anyone died and left you anything (including insurance benefits)? YES ___ NO _____.
 If YES, give details: _____

- 4. Taxes: (Bring a copy of your income tax forms for current and past two years with you to our office.)**
- A. Have you filed taxes for this year? YES _____ NO _____.
 Have you filed taxes for the last two years? YES _____ NO _____.
 B. Have you received any tax refunds this year? YES ___ NO ___. State \$ _____ Federal \$ _____
 C. What income tax refunds do you expect to receive this year? State \$ _____ Federal \$ _____
 D. Does this amount include an Earned Income Credit? YES _____ NO _____.
 E. Have you already filed for the refund? YES _____ NO _____.
 F. When do you expect to receive the tax refund? _____
 G. Do you know if anyone intends to take or intercept your tax refund? YES ___ NO ___. If yes, give details.

- H. Did you sign an agreement or refund anticipation loan with a tax preparer to get your refund early?
 YES _____ NO _____.
 I. (1) Is any other person (such as your spouse) entitled to part of your refund? YES ___ NO _____.
 (2) Have you filed income tax returns every year for the last seven years? YES ___ NO _____.

- (3) Do you owe any taxes to the United States? YES ___ NO ___. If YES, give the name and address of the department or agency to which the tax is owing, the kind of tax that is owing, and the years for which the tax is owing: _____

- (4) Do you owe any taxes to any states? YES _____ NO _____. If YES, give the name of the state and the department or agency therein, the address of the department or agency, the kind of tax that is owing, and the years for which the tax is owing: _____

- (5) Do you owe any taxes to a county, district, or city? YES _____ NO _____. If YES, give the name of the county, district, or city, the kind of tax that is owing, and the years for which the tax is owing: _____

- (6) Besides taxes, do you owe any other money to any branch of the United States Government (e.g., FHA, VA, repossessions or loans, withholding taxes [if you were in business], or money owed Small Business Administration)? YES _____ NO _____. If YES, give the name of the branch, its address, the amount owing, and why it is owed: _____

5. Debts Repaid:

- A. If you have made any payments totaling more than \$600 to a creditor within the last ninety days, give the name of the creditor and the dates and amount of the payments:

<i>Creditor's Name & Address</i>	<i>Is the Creditor a Relative?</i>	<i>Payment Dates</i>	<i>Amount of Payment</i>
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Please make sure to bring any payment books you have with you.

- B. Have you made any payments within the last year to creditors who are or were insiders (relatives or business partners)? YES _____ NO _____. If YES, give details:

- C. (1) Have you ever had a student loan or cosigned for someone else's student loan? YES ___ NO ____.
 If YES to either question, please state:

(2) Who lent you the money? _____

(3) What school was the loan for? _____

(4) Did the student finish the course of study at the school? YES _____ NO _____. If NO, why not? _____

(6) Who is trying to collect the debt? _____

(7) How much have you paid on the debt (include any tax refund intercepts)? _____

(8) Has anyone else made payments on the debt? YES ___ NO _____. How much? \$ _____

6. Law Suits: (Bring in all papers relating to any law suits or criminal cases.)

- A. Have you ever been sued by any person, company, or organization? YES ___ NO _____. If YES, state:

<i>Case Name</i>	<i>Case No.</i>	<i>Name and Address of Court</i>	<i>Type of Case</i>	<i>Result of Case</i>
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- B. Have any court suits resulted in a lien being placed on your property? YES _____ NO _____.
 C. Have you ever sued any person, company, or organization? YES ___ NO _____. If yes, state:

<i>Case Name</i>	<i>Case No.</i>	<i>Name and Address of Court</i>	<i>Type of Case</i>	<i>Result of Case</i>
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D. Do you have any criminal charges or convictions? YES ____ NO _____. If yes, state:
Case No. Name of Court Charges Result of Case Do You Owe Fines or Restitution?

E. Have you been involved in any administrative agency cases (unemployment compensation, worker's compensation, SSI/Social Security Disability) in the past 12 months? YES ____ NO _____. If yes, state:
Case Name Case No. Agency's Name and Address Type of Case Result of Case

F. Do you have any possible reason for suing someone for damage to your property or for injuries to yourself or other members of your family? YES ____ NO _____. If YES, who could you sue, how much money is involved, and why could you sue? _____

7. Garnishment, Attachment, and Sheriff's Sale

A. Have you ever had any property listed for or sold at a foreclosure, tax sale, or sheriff's sale, or levied upon? YES ____ NO _____. If YES, bring any papers concerning those actions to the office and state:
What Property Was Sold Value of Date Name and Address of Creditor
or Listed for Sale Property

B. Has money from your pay check or bank account been garnished, or taken or frozen by a creditor, including your bank or credit union, because of a debt? YES ____ NO _____. If YES, give the following:
Name and Address of Creditor Amount Taken Dates
Who Received the Money

8. Repossessions and Returns

A. Have you had any property or merchandise repossessed during the last year? YES ____ NO _____. If YES, bring all papers including all letters telling you of the repossession or sale.
Description of Month & Year Who Repossessed Item Value of Property
Property of Repossession (Name, Address) When Repossessed

B. Have you voluntarily returned any property or merchandise to the seller in the past year? YES ____ NO _____. If YES, state:
Description of Month & Year Seller's Name and Value of Property
Property of Return to Seller Address at Time of Return

9. Property of Yours Held by Someone Else:

A. Does any other person have any of your property? (This includes any check you may have given to a payday lender or check cashing service.) YES ____ NO _____. If YES, list the following:
Type of Value Being Held By Why Is This Person
Property Holding the Property?

B. Have you given or made an assignment of any of your property for the benefit of your creditors or any settlements with your creditors within the past two years? YES _____ NO _____. If YES, give the name and address of the creditor and the terms and conditions under which you gave the property to the creditor or made an agreement with the creditor: _____

C. Is any of your property in the hands of a court-appointed person (a receiver), or in the hands of a person who is holding it for your benefit and use (a trustee)? If YES, give details: _____

D. Is any of your property in the possession of a pawnbroker, storage company or repairman? YES _____ NO _____. If YES, describe and give its value: _____

10. Gifts and Transfers:

Have you made sales of property, mortgages, gifts, or transfers of any substantial property or cash within the last four years? YES _____ NO _____. If YES, give the following:

<i>Name of Person Who Received Property</i>	<i>Description of Property</i>	<i>Month and Year of Gift or Sale</i>	<i>Was Sale or Gift to a Relative?</i>
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_____	_____	_____	_____
_____	_____	_____	_____

11. Losses:

A. Did you lose any substantial amount of money as a result of fire, theft, or gambling during the last year? YES _____ NO _____. If YES, state the following:

<i>What Caused the Loss?</i>	<i>Value of the Money or Property That Was Lost</i>	<i>Date of the Loss</i>
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_____	_____	_____
_____	_____	_____

B. Did insurance pay for any part of the loss? YES ___ NO ___. If YES, what was date of payment? _____
How much was paid? \$ _____

12. Payments or Transfers to Attorney or Debt Consultants:

A. Give the date, name, and address of any attorney or bankruptcy consultant (petition preparer, typing service, document preparation service, independent paralegal) you have consulted during the past year: _____

B. Give the reason for which you consulted the attorney or bankruptcy consultant: _____

C. How much have you paid the attorney or bankruptcy consultant? \$ _____

D. Did you promise to pay money to the attorney or bankruptcy consultant? YES _____ NO _____. If YES, give the amount and terms of the agreement: _____

E. Have you consulted anyone else about your debts in the past year? YES _____ NO _____. If YES, give name, address, and amount(s) paid for the service: _____

F. Did any of your debts result from a refinancing or a consolidation loan? YES ___ NO ___. If YES, which ones? _____

Please be sure to bring all papers for these loans with you.

13. Closed Bank Accounts:

Have you or your spouse had your name on any bank account (such as savings, checking, certificates of deposit) during the past 12 months that is now closed? YES ___ NO ___. If YES, state:

<i>Bank's Name and Address</i>	<i>Acct. No.</i>	<i>Type of Account (Savings/Checking)</i>	<i>Names of Others on Account</i>	<i>Date Closed</i>	<i>Final Balance</i>

14. Safe Deposit Boxes:

Have you or your spouse had a safe deposit box during the last year? YES _____ NO _____.

If YES, list the name and address of the bank, the name and address of everyone who had access to the box, the contents of the box and, if you no longer have the box, the date it was closed:

15. Property Held for Another Person: Do you have any money, property, furniture, etc. that belongs to another person or that you are holding for the benefit of someone else (in trust)? YES ___ NO _____. If YES, what is the property, who owns it, and what is it worth? Include name and address of the owners:

<i>Type of Property</i>	<i>Value</i>	<i>Owned By</i>	<i>Address</i>	<i>Relative? (Yes or No)</i>

At what address are you keeping this property? _____

16. Leases: Have you had an auto lease, rent-to-own, or rental-purchase transaction in the past four years?

YES _____ NO _____. If YES, give details: _____

17. Cooperatives: Are you a member of any type of cooperative (housing, food, agricultural, etc.)? If YES, give details:

18. Alimony, Child Support, and Property Settlements:

A. Have you had any previous marriages? YES ___ NO ___. If YES, what is the name of your former spouse?

Please be sure that any debts from prior marriages which were never paid are listed with your other debts.

B. Does anybody owe you any money or child support? YES _____ NO _____.

Who? _____ How much? \$ _____

C. Have you ever been ordered to pay child support? YES ___ NO _____.
Alimony? YES ___ NO _____.
Property Settlement? YES ___ NO _____.
If yes to any question, state:

- (1) To whom do you make the payments? _____
- (2) Are you behind in your payments? _____
- (3) Are the persons you are required to support this way on welfare? _____
- (4) Do you have any family court hearings coming up? If yes, explain and give dates:

D. Do you expect to be involved in a property settlement with your spouse in the near future?

YES _____ NO _____.

19. Accidents and Driver's License:

- A. Have you been involved in a vehicle accident in the last four years? YES ____ NO ____.
- B. Has your vehicle been involved in an accident in the last four years? YES ____ NO ____.
- C. Have your children ever injured anyone else or their property? YES ____ NO ____.
- D. Have you ever lost your driver's license? YES ____ NO ____ . If YES, give details:

20. Cosigners and Debts Incurred for Other People:

- A. Were there any cosigners for you on any of the debts you have listed in these forms?
YES ____ NO ____ . If YES, give the cosigner's name and address, and which debts were cosigned:

- B. Have you ever been the cosigner on someone else's loan or debt which hasn't been paid off?
YES __ NO __ . If yes, list the following for each debt:

<i>Creditor's Name and Address</i>	<i>Date of Debt</i>	<i>Amount Owing</i>	<i>Name and Address of Person You Cosigned For</i>
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- C. Have you borrowed any money for someone else's benefit? YES ____ NO ____ . If YES, list the following unless you are sure that loan or debt has been paid:

<i>Creditor's Name and Address</i>	<i>Collection Agent or Attorneys</i>	<i>Date of Debt and Which Spouse Owes</i>	<i>For What</i>	<i>Current Amount of Claim</i>
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- D. If you put up any of your property as collateral on a debt you cosigned, list the following:

<i>Creditor</i>	<i>Type of Property</i>	<i>How Much the Property Is Worth Now</i>
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21. Credit Card and Finance Company Debts

- A. Have you obtained cash advances of more than \$1000 or used any credit card to purchase more than \$1000 worth of goods or services in the last sixty days? YES ____ NO ____ . If YES, give details: _____

- B. Have you ever gone over your credit limit on any credit cards? YES ____ NO ____ . If YES, give details:

- C. If any of your debts listed on this form are owed to finance companies, did you sign an agreement that listed some of your property (such as a second television or VCR) and stated that the property would be security or collateral for the loan? YES ____ NO ____ . If YES, which ones?

- D. Do you owe money on a payday loan or for a check cashing service? YES ____ NO ____ . If YES give details:

C. CARS, MOBILE HOMES, TRAILERS AND BOATS:

Do you have any cars, trucks, mobile homes, boats, trailers, or motorcycles? YES ____ NO _____. If YES, give the year, make, model, value, who is financing it, and amount owed:

D. OTHER PROPERTY:

Do you own any life insurance policies? YES ____ NO _____.
If YES, list insurance company's name and address: _____

How long have you had each policy? _____

Cash surrender value: _____

Do you have any other insurance, including credit insurance? YES ____ NO _____. If YES, describe:

Do you expect to receive any money from any insurance in the near future? YES ____ NO _____. If YES, give details: _____

Do you own any stocks? YES ____ NO _____. Value: \$ _____

Do you own any bonds (including U.S. Savings Bonds)? YES ____ NO _____. Value: \$ _____

Do you own any machinery, tools, or fixtures used in your business or work? YES ____ NO _____. If YES, list and state what you could sell it for: _____

Do you have any animals or pets? YES ____ NO _____. If YES, describe and give value (what you could sell them for): _____

Do you have any right to receive commissions or other payments from any previous job you have held?

YES ____ NO _____. Does anyone owe you any money? YES ____ NO _____. If YES to either, state names, addresses and amounts owed: _____

Do you have any books, prints or pictures, stamps or coins, or sports equipment of substantial value?

YES ____ NO _____. If YES, describe and estimate their value: _____

Do you have any stock in trade (inventory)? YES ____ NO _____. If YES, describe and estimate the value:

Do you own anything else not mentioned above? YES ____ NO _____. If YES, describe and state its value (what you could sell it for): _____

Does any of the property that you own or possess pose a threat of harm to public health or safety?

YES ____ NO _____.
Is the threat imminent? YES ____ NO _____.
Has anyone ever alleged that any of the property that you own or possess poses a threat of imminent harm to public health or safety? YES ____ NO _____.
Was the threat alleged to be imminent? YES ____ NO _____.
Give details regarding any threat or alleged threat to public health or safety, including identification of property and nature of potential harm or alleged harm. _____

25. Budget Information

A. Do you currently receive your pay or other income (check one)

	YOU	YOUR SPOUSE
WEEKLY	_____	_____
EVERY 2 WEEKS	_____	_____
MONTHLY	_____	_____
OTHER	_____	_____

B. What is the gross amount received in wages or other income (before taxes or other deductions)?

YOU	YOUR SPOUSE
_____	_____

C. What deductions, if any, are taken out?

	YOU	YOUR SPOUSE
Taxes	_____	_____
Insurance	_____	_____
Union dues	_____	_____
Other (identify: _____)	_____	_____

D. What is the usual amount of your check (take-home pay)?

YOU	YOUR SPOUSE
_____	_____

E. Is your job subject to seasonal or other changes?

YOU	YES _____	NO _____
YOUR SPOUSE	YES _____	NO _____

F. What was your gross income (reported on W-2 form and tax return) for last year?

YOU	YOUR SPOUSE
_____	_____

G. List all dependents of either spouse.

	NAME	AGE	RELATIONSHIP
YOU	_____	_____	_____
YOUR SPOUSE	_____	_____	_____
	_____	_____	_____

H. Do you expect your income to increase or decrease more than 10% in the next year? YES ____ NO ____.

J. Do you expect to have any major expenses (like medical bills) in the near future? YES ____ NO ____.

If YES, describe: _____

K. Does either spouse or do your children receive income from any source other than jobs, alimony, maintenance, or support listed above (such as public assistance, unemployment compensation, social security, SSI, pension, etc.)? YES ____ NO ____.

If YES, list:

<i>Source of Income</i>	<i>To Whom Payable</i>	<i>Amount per Month</i>
_____	_____	_____
_____	_____	_____

L. Is your family eligible for food stamps? YES ____ NO ____.

If YES, how much in food stamps do you receive per month? \$_____.

M. Monthly Expenses. (Give realistic estimates. If your expenses add up to more than the income you have listed, or less than your income, be prepared to explain why.)

What are your average monthly expenses for:

Rent or mortgage	_____
Are real estate taxes included? ____	
Is property tax included? ____	
Electricity	_____
Heat	_____
Water	_____
Telephone	_____
Other utilities	_____
Home maintenance (repairs and upkeep)	_____
Food (cash you spend on food)	_____
Amount of food stamps you spend	_____
Clothing	_____
Laundry and cleaning	_____
Medications	_____
Other medical and dental expenses	_____
Public transportation	_____
Automobile upkeep	_____
Gasoline and oil	_____
Newspapers, magazines, school books	_____
Recreation	_____
Charitable contributions	_____
Club and union dues (not deducted from wages)	_____
Insurance (not deducted from wages)	
Homeowner's or renter's	_____
Life	_____
Health	_____
Auto	_____
Other _____	_____
Taxes (not deducted from wages or included in mortgage payment)	_____
Installment payments	
Vehicle	_____
Other _____	_____
Other _____	_____
Alimony, maintenance or support payments	_____
Other payments for support of dependents	_____
Expenses for operating your business	_____
Other expenses (list types of expenses) (e.g., home maintenance, cable T.V., school)	
Identify: _____	_____
_____	_____
_____	_____